

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREW R. PERRONG
1657 THE FAIRWAY #131
JENKINTOWN, PA 19046

Plaintiff

v.

HB NORTH WELLNESS LLC
AND
HAZEL BROOKS
Defendants.

Case No. 2:22-cv-04248-GEKP

JURY TRIAL DEMANDED

PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE

Plaintiff responds to this Court's order of December 4, 2023 (ECF No. 11) requesting that he document whether his Request for Entry of Default (ECF No. 6) was served on the Defendants, in addition to whether the Entry of Default (ECF No. 7) was served on the Defendants.

Plaintiff avers that on January 12, 2023, he served the request for entry of default (ECF No. 6) via First Class Mail upon the Defendants at 407 Fourth Cove Mountain View, MO 65548. Plaintiff did not receive the mail back or receive any other indication it was not deliverable. Plaintiff acknowledges that the Court may deem the proof of service deficient in this regard as it only states that he filed the foregoing via the pro-se litigant Electronic Filing System.

However, the Plaintiff did not serve the Clerk's Entry of Default (ECF No. 7) on the Defendants, because it is neither a document required to be served under FED R. CIV. P. 5(a)(1), and because the documents would have been served on parties who are in default for failing to appear. FED R. CIV. P. 5(a)(2). In the interest of full transparency and preservation of Due

Process Rights, the Plaintiff served the Entry of Default on the Defendants via First Class Mail on 12/22/2023 with Proof of Mailing number 0031090333148000036365548.

In addition, the Plaintiff confirms that he mailed his Default Motion (ECF No. 10) on October 2, 2023 as in the Certificate of Service. The tracking for Proof of Mailing number 00310903331480012487 from the USPS system is attached to this response as Exhibit A.

Dated: **December 22, 2023**

_____/s/_____
Andrew R. Perrong, Esq.
Plaintiff Pro-Se
1657 The Fairway #131
Jenkintown, PA 19046
Phone: 215-791-6957
Facsimile: 888-329-0305
andyperrong@gmail.com

CERTIFICATE OF SERVICE

Plaintiff certifies that on December 22, 2023, he filed the foregoing electronically via CM/ECF. Furthermore, Plaintiff certifies that he sent copies of the foregoing via First Class Mail with Proof of Mailing number 0031090333148000036165548 to:

HB NORTH WELLNESS LLC
AND HAZEL BROOKS
407 FOURTH COVE
MOUNTAIN VIEW, MO 65548

_____/s/_____
Andrew R. Perrong, Esq.
Plaintiff Pro-Se
1657 The Fairway #131
Jenkintown, PA 19046
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Facsimile: 888-329-0305
andyperrong@gmail.com